
By: **Senator Conway**
Introduced and read first time: February 5, 2003
Assigned to: Rules
Re-referred to: Education, Health, and Environmental Affairs, February 7, 2003

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 25, 2003

CHAPTER _____

1 AN ACT concerning

2 ~~Real Estate Licensees – Branch Office Manager Licensed Real Estate~~
3 ~~Brokers - Branch Offices - Managers~~

4 FOR the purpose of ~~requiring certain applicants for an associate real estate broker~~
5 ~~license to meet certain requirements~~; establishing requirements for a licensed
6 real estate salesperson, ~~regardless of whether the salesperson has certain~~
7 ~~experience~~, to qualify to be designated a branch office manager of a real estate
8 broker; requiring a licensed real estate salesperson seeking to qualify as a
9 branch office manager to submit to the State Real Estate Commission a certain
10 commitment at a certain time; and generally relating to requirements for real
11 estate broker branch office managers ~~and associate real estate brokers~~.

12 BY repealing and reenacting, with amendments,
13 Article - Business Occupations and Professions
14 Section ~~17-304~~ and 17-518
15 Annotated Code of Maryland
16 (2000 Replacement Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Business Occupations and Professions**

20 ~~17-304.~~

21 (a) ~~To qualify for an associate real estate broker license, an applicant shall be~~
22 ~~an individual who meets the requirements of this section.~~

1 (b) An applicant shall meet the requirements for a real estate broker license
2 under § 17-305 of this subtitle.

3 (c) An applicant shall obtain, from a licensed real estate broker, a
4 commitment providing that the applicant shall become affiliated with the licensed
5 real estate broker as an associate real estate broker on the granting of an associate
6 real estate broker license to the applicant.

7 ~~(D) AN APPLICANT FOR AN ASSOCIATE REAL ESTATE BROKER LICENSE WHO~~
8 ~~IS A LICENSED REAL ESTATE SALESPERSON AND MANAGER OF A BRANCH OFFICE OF~~
9 ~~A LICENSED REAL ESTATE BROKER AS AUTHORIZED BY § 17-518(D)(2)(III) OF THIS~~
10 ~~SUBTITLE IS NOT ELIGIBLE TO OBTAIN OR HOLD AN ASSOCIATE REAL ESTATE~~
11 ~~BROKER LICENSE UNLESS THE APPLICANT MEETS THE REQUIREMENTS OF § 17-305~~
12 ~~OF THIS SUBTITLE.~~

13 17-518.

14 (a) Subject to the provisions of this subtitle, a licensed real estate broker may
15 maintain branch offices in the State.

16 (b) A licensed real estate broker shall obtain a branch office certificate before
17 the broker may maintain a branch office in the State.

18 (c) (1) An applicant for a branch office certificate shall:

19 (i) submit to the Commission an application on the form that the
20 Commission provides;

21 (ii) submit to the Commission written notice of the identity of the
22 individual appointed as manager of the branch office under subsection (d) of this
23 section; and

24 (iii) pay to the Commission an application fee of \$5.

25 (2) The Commission shall issue a branch office certificate to each
26 licensed real estate broker who meets the requirements of this section.

27 (d) (1) Subject to paragraph (2) of this subsection, the licensed real estate
28 broker shall designate a manager for each branch office of the broker.

29 (2) The manager shall be:

30 (i) a licensed associate real estate broker; [or]

31 (ii) a licensed real estate salesperson who has at least 3 years'
32 experience providing real estate brokerage services; OR

33 (III) A LICENSED REAL ESTATE SALESPERSON WHO HAS
34 COMPLETED SUCCESSFULLY A COURSE IN REAL ESTATE APPROVED BY THE
35 COMMISSION FOR REAL ESTATE BROKERS AND HAS PASSED AN THE REAL ESTATE
36 BROKER'S EXAMINATION GIVEN BY THE COMMISSION UNDER § 17-306 OF THIS

1 ~~SUBTITLE REGARDLESS OF WHETHER THE INDIVIDUAL HAS AT LEAST 3 YEARS'~~
2 ~~EXPERIENCE PROVIDING REAL ESTATE BROKERAGE SERVICES AS A LICENSED REAL~~
3 ~~ESTATE SALESPERSON.~~

4 (3) A LICENSED REAL ESTATE SALESPERSON SEEKING TO QUALIFY AS A
5 BRANCH OFFICE MANAGER UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION SHALL
6 SUBMIT TO THE COMMISSION, BEFORE TAKING THE REAL ESTATE BROKER'S
7 EXAMINATION, A COMMITMENT FROM THE REAL ESTATE BROKER PROPOSING TO
8 ENGAGE THE SALESPERSON AS A BRANCH OFFICE MANAGER.

9 (4) The manager shall have the responsibility to supervise the
10 provision of real estate brokerage services by the associate brokers and sales agents
11 registered to that office as provided for in § 17-320 of this title.

12 (e) (1) Unless a branch office certificate is renewed for a 2-year term as
13 provided in this subsection, the certificate expires on the first April 30 that comes:

14 (i) after the effective date of the certificate; and

15 (ii) in an even-numbered year.

16 (2) Before a branch office certificate expires, a licensed real estate broker
17 periodically may renew it for an additional 2-year term, if the broker:

18 (i) submits to the Commission a renewal application on the form
19 that the Commission provides accompanied by the license renewal application of the
20 manager of the branch office; and

21 (ii) pays to the Commission a renewal fee of \$5.

22 (3) The Commission shall renew the branch office certificate of each
23 licensed real estate broker who meets the requirements of this section.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2003.